IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
**THE HON'BLE MR JUSTICE R.SUBHASH REDDY**
**WRIT PETITION NO : 11918 of 1997**

Dated 17TH October, 2006

Between

Sri Bireddy Pedda yellareddy Memorial Educational Society,
Door No.4/151-1, Pakkerpalli, Chinnachowk, Cuddapah Dist
Rep. By its President Bireddy Ramakrishna Reddy

…..Petitioner

and

Government of Andhra Pradesh,
Labour, employment, Training and Factories (Employment A-2)
Department, Secretariat, Hyderabad, by its Principal Secretary
to Government and anr.

….Respondents.

## HONOURABLE SRI JUSTICE R. SUBHASH REDDY

**WRIT PETITION No. 11918 OF 1997**

**ORDER:**

The petitioner, an educational society, has filed this Writ Petition questioning the orders passed by the second respondent in

proceedings No.D2/R/265/97, dated 27-3-1997.

The petitioner is a society, registered under the Societies Registration Act 1860 (Act 21 of 1860). Pursuant to the notification issued by the second respondent on 20-12-1995, inviting applications for starting unaided private Industrial Training Centers, the petitioner had applied to start one such Industrial Training Center in Yerraguntla of Kamalapuram Constituency, Cuddapah District. Subsequently, inspection was made by the District Level Committee and the case of the petitioner was recommended. But, however, the District Level Committee short-listed the applications and recommended the application of CSSR & SRRM Industrial Training Centre for establishment of the Industrial Training Centre in Kamalapuram Constituency, as much as there is a policy notified by the Government for establishment of only one Industrial Training Centre for each assembly constituency where there is no Industrial Training Center. Therefore, by the proceedings impugned herein, the corpus fund deposited by the petitioner was refunded.

It is the grievance of the petitioner that though permissions were granted for staring Industrial Training Centers in various Assembly Constituencies in the entire State, but no such permission was granted for Kamalapuram Assembly Constituency. There are three major cement industries and one thermal power station and the Government granted permission for starting of four major cement industries, and, apart from these, there are several other industries, and, thus, there is a need in the locality for starting the new Industrial Training Centers. There are no Industrial Training Centers near Yerraguntla and the respondents have failed to take these factors into consideration while considering the application of the petitioner. In that view of the matter, returning of corpus fund

deposited by the petitioner only on the ground that the application of the petitioner is not in conformity with the government policy, is without any valid reason.

In the counter affidavit filed on behalf of the respondents, it is stated that the petitioner's application along with necessary corpus fund of Rs.1,00,000/-, for starting an Industrial Training Centre, at yerraguntla in Kamalapuram Constituency of Kadapa District, was received by the second respondent within the time. It is stated that all the four applications, including that of the petitioner were recommended by the District Level Committee and the same were sent to the Government for consideration. It is further stated that the Government has constituted State Level Committee for further scrutiny of the applications and the State Level Committee, keeping in mind the policy notified by the Government that one Industrial Training Centre for each Assembly Constituency, where there is no such institute, has to be permitted to be started, has recommended the case of CSSR & SRRM Industrial Training Centre for Kamalapuram Constituency. Further, it is stated that meanwhile the respondents had received certain allegations against the said CSSR & SRRM Industrial Training Centre, and, permission in favour of such institution was also not granted.

The corpus fund of the petitioner was returned on the ground that its application is not in conformity with the policy of the Government. As the policy of the Government permits one Industrial Training Center for each Assembly Constituency to be established, and, as much as it is stated that no permission was granted in favour of CSSR & SRRM Industrial Training Center, I set aside the impugned order and, further, allow the petitioner to make fresh application, if the petitioner is interested to set up an industrial

training centre. Such an application shall be filed within a period of four weeks from the date of receipt of a copy of this order. If such application is filed by the petitioner, the respondents shall consider afresh as per the policy which is in force for setting up of industrial training center.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

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*JUSTICE R. SUBHASH REDDY*

DATED:17-10-2006
Msnr